

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 17, 19-23, 29, 31-33, 43, 44, and 46 are currently being amended.

Claims 59-76 are being added.

After amending the claims as set forth above, claims 1-76 are now pending in this application of which Claims 1, 17, 31, 46, and 66 are independent.

Rejections under 102(b) and 103(a) over Wood

Claims 1-8, 10-11, 17-24, 26-27, 31-38, 46-47, and 52-53 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wood et al. (US 5, 715, 823), hereinafter Wood. The remaining claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood.

A. Claims 1-30

Claims 1-30 were rejected as anticipated or obvious in view of Wood. Claims 2-16 depend from Claim 1 and Claims 17-30 recite elements similar to Claim 1. Claim 1 (as amended) recites at least one element not taught or suggested by Wood.

Claim 1 (as amended) recites “controlling the application model using the first user interface and the second user interface at about a same time” in combination with the other elements of Claim 1. Wood does not teach controlling the application model using the first user interface and the second user interface at about a same time in combination with the other elements of Claim 1. Rather, Wood appears to teach that when a remote user interface is used, the system is controlled only by the remote user interface. Col. 11, lines 25-49. Therefore, Wood does not anticipate Claim 1 (as amended).

Additionally, Wood does not suggest controlling the application model using the first user interface and the second user interface at about a same time in combination with the other elements of Claim 1. Rather, Wood teaches that “a physician can perform an ultrasound

exam from distances thousands of miles from the patient, needing only a pair of hands at the patient's location to hold and manipulate the ultrasound probe." Col. 11, lines 50-53. In other words, Wood suggests that the purpose of the person in the vicinity of the ultrasound system is to control the probe and not to control the system parameters. Thus, Wood would not suggest that an application model be controlled using both its local controls and its remote user interface. Therefore, Wood would not render Claim 1 (as amended) unpatentable under § 103(a).

Claims 2-16 depend from Claim 1 and would be allowable over Wood for at least the same reason as Claim 1. Claims 17-30 recite elements similar to this element of Claim 1 and would be allowable over Wood for reasons similar to Claim 1.

B. Claims 31-45

Claims 31-45 were rejected as anticipated or obvious in view of Wood. Claims 32-45 depend from Claim 31. Claim 31 recites at least one element not taught or suggested by Wood.

Claim 31 recites "means for updating located at the first location ... configured to automatically send interface updates to refresh the second means for interfacing." Wood does not teach a means for updating located at a first location that automatically sends interface updates to refresh means used for interfacing located at a second location as claimed in Claim 31. Rather, it appears that Wood teaches that a remote user of the system of Wood needs to specifically request that the system be updated for an update to be sent. Col. 11, lines 43-49. Thus, Claim 31 is not anticipated by Wood.

The system claimed in Claim 31 is not an obvious variation of the system disclosed in Wood. Wood teaches using a particular internet protocol and system that requires the system be updated in response to a command by a remote user. Given this use, it would not have been obvious to use a means for updating located at a first location that automatically sends interface updates to refresh means used for interfacing located at a second location as claimed in Claim 31. Thus, Claim 31 is not unpatentable under § 103(a) over Wood.

Claims 32-45 depend from Claim 31 and are allowable over Wood for at least the same reason as Claim 31.

C. Claims 46-58

Claims 46-58 were rejected as anticipated or obvious in view of Wood. Claims 47-58 depend from Claim 45. Claim 45 recites at least one element not taught or suggested by Wood.

Claim 45 recites “providing a first user interface at a first location and a second user interface at a second location; commanding an imaging system located at a third location with a command from at least one of the first user interface and the second user interface; generating an interface update in response to the command to the imaging system, the interface update including data representative of the image; and providing the interface update to the first user interface and the second user interface.” Wood does not teach providing an update to both a first user interface and a second user interface (both at different locations than the imaging system) in response to a command from one of the first and second user interfaces. Rather, Wood teaches that a single user interface not located at the location of the ultrasound system is used to control the ultrasound system and is updated in response to its own commands. Wood does not appear to teach updating one user interface not located at the location of the ultrasound system in response to a command from a different user interface not located at the location of the ultrasound system. Thus, Claim 46 (as amended) is not invalid as anticipated by Wood.

Also, there is no suggestion in Wood to provide an update to both a first user interface and a second user interface (both at different locations than the imaging system) in response to a command from one of the first and second user interfaces. Thus, Claim 46 is not invalid under § 103(a) as unpatentable over Wood.

Claims 47-58 depend from Claim 46 and would be allowable for at least the same reasons as Claim 46.

New Claims

Claims 59-76 are being added. Claims 59-65 depend from Claim 17 and Claims 67-76 depend from Claim 66. Claims 59-76 are supported by the specification as filed and are not believed to add any new matter. Claims 59-76 are believed to be in condition for allowance.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 07-0845. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 07-0845. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 07-0845.

Respectfully submitted,

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By 

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